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SUBJECT: UNCITRAL Sorieul Hails U.S. Support, More Needed

SUMMARY

1. UN Commission on International Trade Law (UNCITRAL) benefits from unwavering U.S. support, and hopes that it can count on the U.S. for support for an increased budget as well as political assistance in helping UNCITRAL strike the right balance between its technical work and political visibility. In an introductory meeting with Ambassador Davies, UNCITRAL Director Renaud Sorieul also strongly complimented the contributions of U.S. delegations to UNCITRAL meetings and working groups and expressed the hope that the U.S. would better coordinate its bilateral technical legal assistance in developing countries with UNCITRAL's own assistance work. Ambassador Davies expressed support for UNCITRAL's work and his commitment to regular UNVIE engagement with the commission. END SUMMARY.

2. On October 5, Ambassador Davies met with UNCITRAL Director Renaud Sorieul. Noting that Ambassador Davies had just arrived a few weeks prior, Sorieul expressed his appreciation for the Ambassador making time so early in his tenure to visit UNCITRAL, especially, as Sorieul noted, in light of the evolving situation with Iran and the IAEA. After receiving a briefing on the background of UNCITRAL's mandate and work, Ambassador Davies asked Sorieul what the U.S. could do to help. Sorieul praised the cooperation UNCITRAL has with the U.S. delegation, as well as the substantive sophistication and preparedness U.S. representatives bring to the table during meetings and working group sessions. As Sorieul stressed, "Your delegation is fantastic. Its ability to coordinate among the various U.S. agencies, and to speak with one voice on very complex issues, is impressive." However, Sorieul added, the U.S. could "do a better job" in disseminating UNCITRAL tools and documents for use by bilateral U.S. assistance programs in the field. For example, Sorieul recounted how some USAID projects in developing countries trying to re-invent the wheel when it comes to trade law technical assistance, instead of using existing UNCITRAL products Sorieul stressed that these UNCITRAL products were actually "heavily influenced" by U.S. input and thus largely consistent with U.S. objectives. Sorieul stated that with better promotion of UNCITRAL by U.S. aid providers, duplication of work in the field would be greatly reduced, as would the potential for confusion among recipients. Ambassador Davies expressed his support for UNCITRAL's work and his commitment to continued UNVIE engagement.

3. Sorieul also asked for USG support in the UN's Fifth Committee for UNCITRAL to receive additional UN regular budget resources. The imbalance UNCITRAL experiences between demand for assistance and resources available, Sorieul contended, was "ridiculous". As he opined, UNCITRAL's organizational structure still reflects "1960 realities". For example, he emphasized that UNCITRAL had eleven attorneys in 1968, but only fourteen currently. Sorieul worried

that UNCITRAL's static funding situation is a result of "political ignorance" of its work and importance to member states. Sorieul noted that while UNCITRAL's work has so far not been politicized, relative to other UN bodies, UNCITRAL needed to achieve a certain "political visibility" in order to more effectively continue its impressive work.

¶4. Recognizing that any such resources would not be likely for the foreseeable future, Sorieul stated that UNCITRAL's latest idea is to raise extra-budgetary resources. In this regard, Sorieul pointed to a likely regional office in Singapore or Korea, which would be substantively "if not completely" funded by voluntary contributions of the host nation.

COMMENT

¶5. UNVIE will continue to engage Sorieul and the UNCITRAL Secretariat in order to see how UNCITRAL and U.S. aid providers might better marry their activities on the ground. Further, while UNVIE sympathizes with Sorieul's assessment of UNCITRAL's financial situation, we will remind him that the U.S. currently has a UN-wide position dedicated to fiscal discipline. It will continue to be incumbent on Sorieul and others in NY's Office of Legal Affairs to make their case for an increase of UNCITRAL's share of the UN regular budget. END COMMENT

DAVIES